

Senate File 2368 - Enrolled

Senate File 2368

AN ACT

RELATING TO EDUCATION, INCLUDING BY MODIFYING PROVISIONS  
RELATED TO THE SALE OF REAL PROPERTY BY SCHOOL DISTRICTS,  
CHARTER SCHOOL AND OPEN ENROLLMENT FUNDING, AND THE  
PARTICIPATION IN SCHOOL ACTIVITIES BY STUDENTS ENROLLED IN  
CHARTER SCHOOLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

FUNDING FORMULA

Section 1. Section 256E.8, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. The charter school in which the student is enrolled shall receive under paragraph "c" an amount equal to the sum of the regular program state cost per pupil for the previous school budget year plus the teacher leadership supplement state cost per pupil, the professional development supplement state cost per pupil, and the early intervention supplement state cost per pupil for the previous fiscal budget year as provided in section 257.9 plus any moneys received by that would be due to the school district of residence for the student as a result of the non-English speaking weighting under section 280.4, subsection 3, for the previous school budget year multiplied by the state cost per pupil for the previous budget year. If a student is an eligible pupil under [section 261E.6](#), the charter school shall pay the tuition reimbursement amount to an eligible postsecondary institution as provided in section

261E.7.

Sec. 2. Section 282.18, subsection 5, paragraph b, subparagraph (1), Code 2024, is amended to read as follows:

(1) The board of directors of the district of residence shall pay to the receiving district the sum of the state cost per pupil for the ~~previous school~~ budget year plus either the teacher leadership supplement state cost per pupil, the professional development supplement state cost per pupil, and the early intervention supplement state cost per pupil for the ~~previous fiscal~~ budget year as provided in [section 257.9](#) or the teacher leadership supplement foundation aid for the ~~previous fiscal year as provided in section 284.13, subsection 1, paragraph "d",~~ if both the district of residence and the receiving district are receiving such supplements, plus any moneys received that would be due to the school district of residence for the pupil as a result of the non-English speaking weighting under [section 280.4, subsection 3](#), for the ~~previous school~~ budget year multiplied by the state cost per pupil for the ~~previous~~ budget year. If the pupil participating in open enrollment is also an eligible pupil under [section 261E.6](#), the receiving district shall pay the tuition reimbursement amount to an eligible postsecondary institution as provided in section 261E.7.

## DIVISION II

### SCHOOL DISTRICT PROPERTY

Sec. 3. Section 278.1, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. Except when restricted by [section 297.24 or 297.25](#), direct the sale, lease, or other disposition of any schoolhouse or school site or other property belonging to the corporation, and the application to be made of the proceeds thereof. However, ~~nothing in this section~~ shall not be construed to prevent the sale, lease, exchange, gift, or grant and acceptance of any interest in real or other property of the corporation to the extent authorized in [section 297.22 or 297.24](#).

Sec. 4. NEW SECTION. 297.23 **Publication of information related to real property.**

The board of directors of a school district shall publish

information related to all of the following on the school district's internet site:

1. The square footage of each school building owned by the school district.
2. The enrollment capacity of each attendance center owned by the school district.
3. How each school building owned by the school district is currently utilized by the school district.
4. School buildings owned by the school district that are vacant.

**Sec. 5. NEW SECTION. 297.24 Sale of real property to other educational institutions.**

1. The board of directors of a school district shall not enter into any agreement that prohibits the sale of real property to an educational institution.

2. If the board of directors of a school district offers to sell real property that contains a building or structure, and an educational institution offers to purchase such real property for a purchase price that represents the highest bid the board of directors of the school district received for the real property, then the board of directors of the school district shall sell the real property to the educational institution for such purchase price.

3. For purposes of this section, "*educational institution*" means all of the following:

- a.* A school district.
- b.* A nonpublic school.
- c.* A charter school established pursuant to chapter 256E.
- d.* A charter school or innovation zone school established pursuant to chapter 256F.
- e.* An institution of higher education under the control of the state board of regents.
- f.* A community college established under chapter 260C.
- g.* The state training school established under chapter 233A.
- h.* An accredited private institution as defined in section 256.183.

**Sec. 6. IMPLEMENTATION OF ACT.** Section 25B.2, subsection 3, shall not apply to this division of this Act.

CHARTER SCHOOL STUDENTS — PARTICIPATION IN ATHLETICS

Sec. 7. NEW SECTION. 256E.13 Students receiving instruction over the internet — participation in activities in district of residence.

1. A student enrolled in a charter school who receives educational instruction and course content primarily over the internet may participate in any cocurricular or extracurricular activities offered to children in the student's grade or group and sponsored by the district of residence under the same conditions and requirements as the students enrolled in the district of residence. The student may participate in not more than two cocurricular or extracurricular activities during a school year unless the resident district approves the student's participation in additional activities. The student shall comply with the eligibility, conduct, and other requirements relating to the activity that are established by the district of residence for any student who applies to participate or who is participating in the activity.

2. If a student participates in a cocurricular or extracurricular activity in accordance with this section, the district of residence may charge the charter school up to two hundred dollars per activity, for up to two activities. For a cocurricular activity, one semester shall equal one activity. Extracurricular activities for which a resident district may charge up to two hundred dollars per activity for up to two activities under this section include interscholastic athletics, music, drama, and any other activity with a general fund expenditure exceeding five thousand dollars annually. A student may participate in additional extracurricular activities at the discretion of the resident district. The resident district may charge the student a fee for participation in such cocurricular or extracurricular activities equivalent to the fee charged to and paid in the same manner by other resident students.

Sec. 8. Section 280.13A, subsection 1, Code 2024, is amended to read as follows:

1. If a school district, or nonpublic school, or charter school operating under section 256E.5 does not provide an interscholastic activity for its students, the board of

directors of that school district, ~~or~~ the authorities in charge of the nonpublic school, or governing board of the charter school may complete an agreement with another school district, ~~or nonpublic school, or charter school operating under section 256E.5~~ to provide for the eligibility of its students in interscholastic activities provided by that other school district, ~~or nonpublic school, or charter school~~. A copy of each agreement completed under [this section](#) shall be filed with the appropriate organization as organization is defined in [section 280.13](#) not later than April 30 of the school year preceding the school year in which the agreement takes effect, unless an exception is granted by the organization for good cause. An agreement completed under [this section](#) shall be deemed approved unless denied by the organization within ten days after its receipt. The organization shall determine whether an agreement would substantially prejudice the interscholastic activities of other schools. An agreement denied by the organization under [this section](#) may be appealed to the state board of education under [chapter 290](#).

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AMY SINCLAIR  
President of the Senate

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PAT GRASSLEY  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2368, Ninetieth General Assembly.

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W. CHARLES SMITHSON  
Secretary of the Senate

Approved \_\_\_\_\_, 2024

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KIM REYNOLDS  
Governor